

UNAPPROVED MINUTES
PLANNING COMMISSION

October 14, 2015

A regular meeting of the Planning Commission of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, at 7:00 p.m., on October 14, 2015, there being present the following members of said Commission, to wit: Vicki G. Daulton, Samuel R. Carter, III, and Denise P. King (Bruce N. Thomasson and Jimmy W. Robertson – absent) with Vicki G. Daulton, Chair, presiding; together with James E. Taliaferro, II, Assistant City Manager and Executive Secretary, ex officio member of said Commission; Melinda J. Payne, Director of Planning and Development; Charles E. Van Allman, Jr., City Engineer; Benjamin W. Tripp, Planner; Judy L. Hough, Planner; Mary Ellen Wines, Zoning Administrator; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

The September 16, 2015, work session and regular meeting minutes were approved as written.

In re: Hold public hearing to consider the request of Debra M. & Lance B. Duncan, Kendell S. & Renae A. Keffer, Tarpley-Graham LLC, and Bradley M. & Elizabeth T. Graham, property owners, for rezoning nine parcels located at 700, 701, 705, 709 and 713 Ambler Lane, and 2801 Franklin Street (Tax Map #s 271-1-1.1, 271-1-1.2, 271-1-1.3, 271-1-1.4, 271-1-1.5, 271-1-1.6, 271-1-2, 271-1-3, and 290-1-1) from PUD Planned Unit District with conditions to PUD Planned Unit District with amended conditions

The Executive Secretary reported that this date and time had been set to hold a public hearing to consider the request of Debra M. & Lance B. Duncan, Kendell S. & Renae A. Keffer, Tarpley-Graham LLC, and Bradley M. & Elizabeth T. Graham, property owners, for rezoning nine parcels located at 700, 701, 705, 709 and 713 Ambler Lane, and 2801 Franklin Street (Tax Map #s 271-1-1.1, 271-1-1.2, 271-1-1.3, 271-1-1.4, 271-1-1.5, 271-1-1.6, 271-1-2, 271-1-3, and 290-1-1) from PUD Planned Unit District with conditions to PUD Planned Unit District with amended conditions; and

WHEREAS, the Executive Secretary further reported that notice of such hearing had been published in the October 1 and 8, 2015, issues of the Salem Times Register, and adjoining property owners were notified by letter mailed October 2, 2015; and

WHEREAS, staff noted the following: the subject property consists of nine parcels of land totaling approximately 34.6 acres; it lies along the west side of Franklin Street, between Niblick Drive and Upland Drive, and is adjacent to the Phillips Brook and West Club Forest subdivisions; the request to rezone the parcels initially came before Planning Commission and

City Council in late 2013; the second rezoning request was approved in April 2014; the following voluntarily-proffered conditions were approved as part of the original rezoning passed on November 12, 2013:

1. Uses Permitted on Existing Tax Parcel 290-1-1 – uses permitted will be as allowed by the City of Salem Zoning Ordinance according to the RSF regulations;
2. Uses Permitted on Existing Tax Parcel 271-1-1 – RESIDENTIAL LOTS - uses permitted will be as allowed by the City of Salem Zoning Ordinance according to the RSF regulations along with the following: keeping of horses and equestrian related uses including trails, stables, and pasture; a minimum of a two-acre residential tract size will be required to have a stable on a residential lot; keeping of goats and cows; OPEN SPACE AREAS – keeping of horses and equestrian related uses including trails, stables, and pasture; keeping of goats and cows; community gardens; horticulture; hay production; passive and active recreational uses including but not limited to trails, picnic tables, gazebos, and playgrounds;
3. General Development Guidelines – all development shall be in substantial conformance with this plan; a maximum of one horse per acre of open space shall be permitted; all open space is intended for the private use of residents of this development; all private roads, stormwater facilities and infrastructure, and open space shall be maintained by the residents of this development; at the time of plan recordation, the developer shall dedicate right-of-way along the frontage of Franklin Street to allow for future widening of Franklin Street; the right-of-way dedication shall be 25 feet from the centerline of Franklin Street; no stable shall be constructed closer than 100 feet to a parcel that is adjacent to this development; and
4. Additionally, the drawing dated September 27, 2013, and revised October 28, 2013, submitted with the request as amended at Planning Commission, shall be a proffered condition.

The following amended voluntarily proffered condition was approved as part of the second rezoning which passed on April 14, 2014:

The drawing dated February 21, 2014, that amends the October 28, 2013, drawing by changing the maximum allowable lots from 15 to 18, and changes the residential perimeter, shall be a proffered condition.

The property owners and developer are requesting an amendment to the existing PUD to allow for the modification of the density; the request is to modify the maximum number of residential lots to 19, which is an increase of one lot; the increase in buildable lots will not decrease the minimum open space requirement of 12 acres; and all other standards remain the same as were approved at the previous public hearings; and

WHEREAS, Brad Graham of Tarpley-Graham LLC, developer and property owner,

appeared before the Commission explaining the rezoning request; he noted that he had spoken with several neighbors about the request, and everyone seem to love what they have done so far with the development; he noted that it is a beautiful site, and everything is going as planned; he noted they started with a much lower number of lots, and this is the second time they have requested to amend the original request; this will be the last lot that they place on the street; he noted they initially started out with five or six lots; but once they found out that would need to bring fire, rescue and buses up into the development and the street would have to be up to state standard, then they decided there would need to be more lots to justify the cost of doing the road; he further discussed the problems they have had with the road, and the expense of repairing it; they would like to finish out the subdivision; they have been marketing the property for about 18 months now, and they have not really had any equestrian interest except for his family; they have a contract purchaser who has indicated she has horse interest, but if they end up with two or three who have horses it would maybe be surprising; so, they are kind of getting away from that; he further noted that they have had a couple of potential purchasers who looked at the lot at the end of the cul-de-sac, but they were not interested in the horses being adjacent to their property; there is definitely a lot of interest in the hiking, biking, trails, etc.; further, by adding this additional lot they will have another resident to participate in the cost of maintaining the open space; he further discussed the costs associated with maintaining the open space, etc.; another plus for the development with this request, several of the lots that back up to Franklin Street have increased in width to an average of 130'; so there is a lot of space between the houses and there is that big wide open feel which a lot of people want; and

WHEREAS, no other person(s) appeared related to said request; and

A MOTION MADE BY COMMISSIONER KING, AND DULY CARRIED, the Planning Commission of the City of Salem doth recommend to the Council of the City of Salem that the request of Debra M. & Lance B. Duncan, Kendell S. & Renae A. Keffer, Tarpley-Graham LLC, and Bradley M. & Elizabeth T. Graham, property owners, for rezoning nine parcels located at 700, 701, 705, 709 and 713 Ambler Lane, and 2801 Franklin Street (Tax Map #s 271-1-1.1, 271-1-1.2, 271-1-1.3, 271-1-1.4, 271-1-1.5, 271-1-1.6, 271-1-2, 271-1-3, and 290-1-1) from PUD Planned Unit District with conditions to PUD Planned Unit District with amended conditions be approved – the roll call vote: all present - aye.

A MOTION MADE BY COMMISSIONER KING AND DULY CARRIED, the Planning Commission of the City of Salem doth recommend to the Council of the City of Salem that as a condition of the rezoning request staff is hereby given the authority to approve the final subdivision plat and to make sure that it is in compliance with all requirements – the roll call

vote: all present - aye.

There being no further business to come before the Commission, the same on motion adjourned at 7:12 p.m.

Chair

Executive Secretary